REMARKS

Claims 1-4, 6-11, 13-14 and 16-20 were examined by the Office, and in the Office Action of December 26, 2007 all claims are rejected. With this response no claims are amended. Applicant respectfully requests reconsideration and withdrawal of the rejections in view of the following discussion.

Claim Rejections Under § 102

In section 4, on page 3 of the Office Action, claims 1-3, 11, 13-14 and 17-20 are rejected under 35 U.S.C. § 102(e) as anticipated by Pacheco et al. (U.S. Appl. Publ. No. 2003/0212857). Applicant respectfully submits that claim 1 is not disclosed or suggested by Pacheco, because Pacheco fails to disclose or suggest all of the limitations recited in claim 1. Pacheco at least fails to disclose or suggest determining when at least one of the at least two peripheral devices is ready for operation after completion of an initialization of each of the at least two peripheral devices, and electrically combining information indicative of a time required for an initialization of a respective one of a least two peripheral devices, as recited in claim 1.

Pacheco relates to adaptively implementing a disk drive startup sequence for a disk drive array. Prior to a disk drive spin-up sequence a currently available power supply resource capacity and a startup metric of each of the array disk drives are determined. The activation sequence timing schedule determines the relative times at which spindle motors for each of the plurality of disk drives will be activated as a function of the determined startup metric for each of the disk drives and the available power supply resource capacity as reduced by the steady state power requirements of each of the startup groups. See Pacheco Abstract. For example, an activation sequence timing schedule program operates with processing functionality in a RAID adapter (106) to determine three disk drive startup groups in activation sequence timing schedule (800). Activation sequence timing schedule (800) further includes the relative times at which each of the three startup groups will be started. As shown in Figure 8A, these startup times are determined in accordance with the maximum spin-up time parameters for the drives in the immediately proceeding startup group. See Pacheco paragraph [0049].

In contrast to claim 1, Pacheco is directed to activating different disk drive units in a suitable sequence. The stored spin-up times are therefore used for determining the best start of

an initialization of different devices. However, claim 1 aims at providing flexible and reliable information on when the initialization of all peripheral devices has been completed so that they can be accessed at an optimum point of time. In Pacheco, the start-up times are determined in accordance with the maximum spin-up time parameters for the drives in the immediately preceding start-up group. See Pacheco paragraph [0049]. However, Pacheco only relates to the scheduling of the start-up sequence, before any start-up is commenced. Therefore, the indicated determination of the start-up time has no relation to a determination after initialization of all devices whether a device is ready for operation, as recited in claim 1. There is no disclosure or suggestion in Pacheco that the spin-up times are evaluated to determine when the initialization of all devices has been completed. Furthermore, claim 1 recites that the information is used to determine when the devices are ready for operation, there is no disclosure or suggestion in Pacheco of this limitation of claim 1. Therefore, Pacheco at least fails to disclose or suggest determining when at least one of the at least two peripheral devices is ready for operation after completion of an initialization of each of said at least two peripheral devices, as recited in claim 1.

In addition, the bus of Pacheco does not perform electrical combining, as recited in claim 1. Claim 1 recites electrically combining the information from each of the at least two peripheral devices to produce combined information indicating a time which is required at the most by any of the at least two peripheral devices for its respective initialization. However, the bus of Pacheco is only used for retrieving the information individually. See Pacheco paragraph [0040]. The combination, which is for determining an activation sequence, is then performed by an activation sequence timing schedule program. See Pacheco paragraph [0049]. Therefore, Pacheco also fails to disclose or suggest this limitation recited in claim 1.

For at least the reasons discussed above, claim 1 is not disclosed or suggested by Pacheco. Independent claims 11, 13-14, 17 and 19 contain limitations similar to those recited in claim 1, and therefore are not disclosed or suggested by Pacheco at least for the reasons discussed above in relation to claim 1.

The claims depending from the above mentioned independent claims are not disclosed or suggested by Pacheco at least in view of their dependencies.

Claim Rejections Under § 103

In section 5, on page 8 of the Office Action, claim 4 is rejected under 35 U.S.C. § 103(a) as unpatentable over Pacheco in view of Crittenden (U.S. Patent No. 5,566,351). Claim 4 ultimately depends from claim 1, and therefore is not disclosed or suggested by the cited references at least in view of its dependency.

In section 6, on page 9 of the Office Action, claim 6 is rejected under 35 U.S.C. § 103(a) as unpatentable over Pacheco in view of Masui (U.S. Patent No. 6,964,018). Claim 6 ultimately depends from claim 1, and therefore is not disclosed or suggested by the cited references at least in view of its dependency.

In section 7, on page 9 of the Office Action, claims 7-10 are rejected under 35 U.S.C. § 103(a) as unpatentable over Pacheco in view of Masui and further in view of The MultiMediaCard System Specification Version 3.31 by the MMCA Technical Committee. Claims 7-10 ultimately depend from claim 1, and therefore are not disclosed or suggested by the cited references at least in view of their dependencies.

In section 8, on page 10 of the Office Action, claim 16 is rejected under 35 U.S.C. § 103(a) as unpatentable over Pacheco in view of Vander Kamp (U.S. Patent No. 6,233,625). Claim 16 ultimately depends from claim 1, and therefore is not disclosed or suggested by the cited references at least in view of its dependency. In addition, the Office asserts that the use of a bus in open drain mode is obvious because Pacheco mentions SCSI devices, and Vander Kamp teaches that SCSI devices may operate according to the SCSI-I bus protocol, which is an open drain mode protocol. However, in Pacheco the devices are polled sequentially (see Figure 3, steps 304, 306), while in the open drain mode all peripheral devices transmit data simultaneously. Therefore, one skilled in the art would not come to the idea of operating the SCSI devices of Pacheco according to an open drain mode bus protocol, because such teaching would not fit to the described approach.

Conclusion

For at least the foregoing reasons it is respectfully submitted that the present application is in condition for allowance, and such action is earnestly solicited. The Commissioner is hereby authorized to charge Deposit Account No. 23-0442 for any fee deficiencies required to submit this response.

Respectfully submitted,

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